

82D CONGRESS
1st Session

} HOUSE OF REPRESENTATIVES {

REPORT
No. 760

KIYOKO AND CHIYIKO ISHIGO

JULY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 581]

The Committee on the Judiciary, to whom was referred the bill (S. 581) for the relief of Kiyoko and Chiyiko Ishigo, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial bar to admission into the United States in behalf of the minor Japanese children of Mrs. Harue Louise Ishigo, who is a native-born citizen of the United States. The children would be nonquota immigrants which is the status normally enjoyed by alien minor children of citizens of the United States.

GENERAL INFORMATION

The pertinent facts in the case are contained in the following letter dated October 31, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General in connection with S. 3590, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens:

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, October 31, 1950.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 3590) for the relief of Toshiki Ishigo and his children, Kiyoko and Chiyiko Ishigo.

The bill would provide that the provisions of section 13 (c) of the Immigration Act of 1924, as amended (8 U. S. C. 213 (c)), which exclude from admission to the

United States persons who are ineligible to citizenship, shall not apply to Toshiki Ishigo, and his children, Kiyoko and Chiyiko Ishigo, the husband and children of Harue Louise Ishigo, a citizen of the United States, if they are otherwise admissible.

The files of the Immigration and Naturalization Service of this Department disclose that Toshiki Ishigo was born in Japan on October 11, 1921, of Japanese parents, and he has always resided in that country. The two minor daughters, Kiyoko and Chiyiko Ishigo, were also born in Japan on January 26, 1946, and June 20, 1948, respectively. They reside with their father at Kokura-shi. According to Mrs. Harue Louise Ishigo, of Denver, Colo., the aliens are her husband, who is her first cousin, and their two children. She stated that she was born in Los Angeles, Calif., on February 14, 1924, that her parents are citizens of Japan, and that when she was 13 years of age she went to Japan in order to be educated in that country, traveling on a United States passport.

The files further reflect that Mrs. Ishigo returned to the United States at the port of San Francisco, Calif., on January 9, 1950, having been issued a United States passport at Yokohama, Japan, on December 22, 1949. She stated that her husband served with the Japanese Navy from 1939 to September of 1945, as an officer in a hospital unit, and that at the present time he is employed in the office of a coal mine at Kokura, Fukuoka, Japan, at a salary of approximately \$14 a month in American money, which is not sufficient to support his family. She has sent them about \$300 and packages of food and clothing. According to Mrs. Ishigo, she and members of her family have purchased the Mandarin Cafe in Denver, and she wants her husband to assist with its operation if he is admitted to the United States.

The aliens, being of the Japanese race, are ineligible to citizenship under section 303 of the Nationality Act of 1940 and they are, therefore, inadmissible to the United States for permanent residence under section 13 (a) of the Immigration Act of 1924. Since Mrs. Ishigo did not reside in this country, of which she is a citizen, for at least 5 years after attaining the age of 16 years prior to the birth of her children, they did not derive United States citizenship. In the absence of general or special legislation the husband and two children will not be eligible to enter the United States for permanent residence. The question of granting relief to Japanese spouses and children of nonveteran United States citizens is a general one and should be resolved, if at all, by general legislation. There are many Japanese spouses and children whose cases are similar and who are also desirous of joining their families in this country. The record in the instant case presents no circumstances which would justify enactment of special legislation granting the aliens a preference over the many others who are similarly situated.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The bill was amended in the Senate so as to admit only the children in this case, as indicated by the following correspondence:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
March 16, 1951.

Re S. 581—Ishigo.

Hon. PAT McCARRAN,

Chairman, Senate Judiciary Committee,

Washington, D. C.

DEAR SENATOR McCARRAN: Supplementing my letter to you dated February 23, 1951, to which you were courteous enough to reply on the 27th, I am attaching a letter from Mrs. Louise Ishigo, of Denver, Colo. You will note Mrs. Ishigo states she is interested in having only her children brought to the United States under my bill, and not her husband, for the reasons mentioned. Mrs. Ishigo is an American citizen and the children are very young.

I will appreciate having this bill amended to include only the children under the circumstances.

Thank you for your courtesy.

Sincerely,

E. C. JOHNSON.

MARCH 7, 1951.

DEAR MR. JOHNSON: Thank you ever so much for your prompt and kind letter. The reason for only my children's entry was that we plan on a divorce as soon as possible and he wishes to have the children in my care for he knows he cannot do much for them over there without our support from here. Have been sending up to now to support in-laws and children and since there is nobody to look after them would appreciate it very much if there is any way of getting them over at the earliest convenience. I stay with my parents who own an apartment house and no worries about a home.

I am managing Chop Suey Restaurant which I think makes enough to support us all. Till they are able to enter this country he has agreed to look after them as best he can but hope it will be soon for they are still very small and need a lot of care and attention. I do hope you understand the situation and will help us in every way possible. I thank you.

Sincerely,

LOUISE ISHIGO.

Mr. Rogers of Colorado appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of this legislation.

Upon consideration of all the facts in this case, the committee is of the opinion that S. 581 should be enacted and it accordingly recommends that the bill do pass.

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March 7, 1951.

Dear Mr. Jones: Thank you ever so much for your prompt and kind letter. The reason for only my children's entry was that we plan as soon as possible to have the children in my care for the time being. I have been sending money for them over there without any support from here. I have been sending in a few support letters and children and since there is nobody to look after them would appreciate it very much if there is any way of getting them over to the nearest government. I stay with my parents who own an apartment house and am working about a home.

I am sending Chop Bury. Last night which I think is the day to support us all. I'll be able to enter this country as they agreed to look after them as best as can be done. I'll be soon for they are the very same and need a lot of care and attention. I do hope you understand the situation and will help us in very way possible. I thank you.

Yours truly,

Mr. Rogers of Colorado appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of this legislation.

Upon consideration of all the facts in this case, the committee is of the opinion that S. 581 should be enacted and is accordingly recommending that the bill be passed.